

Docket No.
97:21/4002-1332

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

OPEN INTERVERTEBRAL SPACER

the specification of which

(check one)

is attached hereto.

was filed on _____ as United States Application No. or PCT International Application Number _____
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

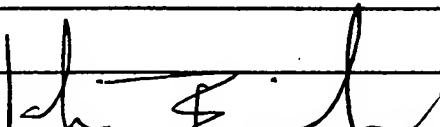
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

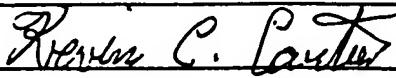
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

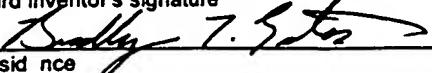
Harold R. Woodard 16,214; C. David Emhardt 18,483; Holiday W. Banta 40,311; Troy J. Cole 35,102; L. Scott Joseph A. Naughton 19814; John V. Moriarty 26,207; Paynter 39,797; J. Andrew Lowes P40,706; Matthew R. John C. McNett 25,533; Thomas Q. Henry 28,309; James M. Durlacher 28,840; Charles R. Reeves 28,750; Vincent O. Wagner 29,596; Steve Zlatos 30,123; Spiro Bereveskos 30,821; William F. Bahret 31,087; Clifford W. Browning 32,201; R. Randall Frisk 32,221; Daniel J. Lueders 32,581; Michael D. Beck 32,722; Kenneth A. Gandy 33,386; Timothy N. Thomas 35,714; Kerry P. Sisselman 37,237; Kurt N. Jones 37,996; John H. Allie 39,088; Jeffrey A. Michael 37,394; Deborah R. Beck 37,370;

Send Correspondence to: Deborah R. Beck
Woodard, Emhardt, Naughton, Moriarty & McNett
111 Monument Circle, Suite 3700
Indianapolis, IN 46204

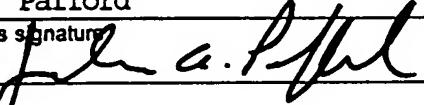
Direct Telephone Calls to: (name and telephone number)
317-634-3456 Deborah R. Beck

Full name of sole or first inventor	John R. Bianchi	
Sole or first inventor's		
Date	6/30/97	
Residence	4621 S.W. 85th Drive, Gainesville, FL 32608	
Citizenship	USA	
Post Office Address	4621 S.W. 85th Drive, Gainesville, FL 32608	

Full name of second inventor, if any	Kevin C. Carter	
Second inventor's signature		
Date	7-1-97	
Residence	8502 N.W. 35th Road, Gainesville, FL 32606	
Citizenship	USA	
Post Office Address	8502 N.W. 35th Road, Gainesville, FL 32606	

Full name of third inventor, if any	
Bradley T. Estes	
Third inventor's signature	
	
Residence	
3699 Friar Tuck Road, Memphis, TN 38111	
Citizenship	
USA	
Post Office Address	
3699 Friar Tuck Road, Memphis, TN 38111	

Full name of fourth inventor, if any	
Larry Boyd	
Fourth inventor's signature	
	
Residence	
5105 Lynbar Avenue, Memphis, TN 38117	
Citizenship	
USA	
Post Office Address	
5105 Lynbar Avenue, Memphis, TN 38117	

Full name of fifth inventor, if any	
John A. Pafford	
Fifth inventor's signature	
	
Residence	
2613 Fox Hill Circle East, Germantown, TN 38139	
Citizenship	
USA	
Post Office Address	
2613 Fox Hill Circle East, Germantown, TN 38139	

Full name of sixth inventor, if any	
Sixth inventor's signature	
Residence	
Citizenship	
Post Office Address	